REMARKS

Claims 1-19, 27 and 29-42 are pending in this application, and upon entry of the present paper, these claims remain pending. All claims stand rejected under 35 U.S.C. 102(e) as being anticipated by Horvitz et al. (U.S. Patent No. 6,980,993). Applicants respectfully traverse this rejection, especially insofar as it may be applied against the claims as amended.

Independent Claim 1 and Dependent Claims 2-5

Amended independent claim 1 recites, among other features, the following steps:

receiving a test notification call from an application; and

responding to said test notification call with information
identifying whether a notification from said application
would be displayed based on said one or more contexts, if
said application were to request a notification.

Horvitz et al. does not teach or suggest the claim 1 method having these steps. Horvitz et al. relates to the use of different schemas for a notification platform. In the portions cited in the Office Action, Horvitz et al. generally describes how a user may control the manner in which incoming notification requests are handled. However, the various examples all relate to actual incoming notifications. There is no teaching or suggestion of the recited steps of receiving a test notification call and responding with information identifying whether a notification from an application would be displayed based on the one or more contexts, if the application were to request a notification.

For at least this reason, Applicants submit that amended claim 1 distinguishes over Horvitz et al. Claims 2-5 depend from claim 1, and are allowable for at least the same reasons as claim 1, and further in view of the features recited therein.

Furthermore, amended independent claim 36 recites a test notification interface that "results in a response identifying whether a notification would be displayed if requested by an application calling said second interface," and Applicants submit that Horvitz et al. also does not teach or suggest the claim 36 use of a test notification. Claims 37-42 depend from claim 36, and are allowable for at least the same reasons as claim 36, and further in view of the various features recited therein.

Independent Claim 6 and Dependent Claims 7-13

Amended independent claim 6 recites, among other features, the following:

> in response to a change in context, sending proactive
> context change data to one or more application programs
> that have registered with said context setter, said context
> change data informing said registered application programs
> of the change in context to reduce subsequent generation of
> unwanted notification requests

Horvitz et al. does not teach or suggest sending such proactive context change data. Although Horvitz et al. does refer to an information agent service obtaining current context data (col. 48, lines 45-46), there is no sending of proactive context change data to application programs that have registered, as recited in amended claim 6.

For at least this reason, Applicants submit that amended claim 6 distinguishes over Horvitz et al. Claims 7-13 depend from claim 6, and are allowable for at least the same reasons as claim 6, and further in view of the features recited therein.

Independent Claim 14 and Dependent Claims 15-19

Amended independent claim 14 recites, among other features, the following:

> wherein said delivery includes playing an audio portion of
> said notification with a volume adjusted based on said one
> or more user contexts.

In rejecting other claims that recited audio features (e.g., claim 4), the Office Action referred to Horvitz et al., col. 57, lines 11-52. In that portion, Horvitz et al. discusses how various cost/benefit values may be assigned to different types of notifications and contexts, such that the Horvitz et al. system can make a determination of whether to play the notification. As for audio, Horvitz et al. notes in an example that a user's cell phone might not ring unless the notification was at a high enough level. See col. 57, lines 15-16 (weighing priority of call with "cost" of delaying notification). There is no teaching or suggestion, however, of playing an audio portion of a notification with a volume adjusted based on one or more user contexts, as recited.

For at least this reason, Applicants submit that amended claim 14 distinguishes over Horvitz et al. Claims 15-19 depend from claim 14, and are allowable for at least the same reasons as claim 14, and further in view of the features recited therein.

Independent Claim 27 and Dependent Claims 29-32

Amended independent claim 27 recites, among other features, the following:

> wherein at least one of said one or more user contexts
> identifies a plurality of conditions, each condition having a
> plurality of states, and an instruction to be followed for
> each state of said conditions, wherein at least one
> instruction indicates whether a requested notification will
> be permitted to overlay information displayed on said
> user's visual display.

Although Horvitz et al. does describe the provision of notification messages to users, Horvitz et al. does not teach or suggest an instruction indicating whether these messages will be permitted to overlay other information displayed on the user's visual display. Instead, the Horvitz et al. notifications are simply displayed, or not, based solely on the contexts and preferences described therein. Accordingly, Horvitz et al. does not

teach or suggest the method recited in claim 27, having a context where "at least one instruction indicates whether a requested notification will be permitted to overlay information displayed on said user's visual display."

For at least this reason, Applicants submit that amended claim 27 distinguishes over Horvitz et al. Claims 29-32 depend from claim 27, and are allowable for at least the same reasons as claim 27, and further in view of the features recited therein.

Independent Claim 33 and Dependent Claims 34-35

Amended independent claim 33 recites, among other features, a step in which:

> the notification processing system receiving the call and
> setting the user context so that future notifications are
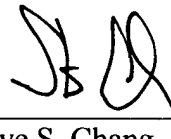> displayed in a reduced portion of said user's visual display

Although Horvitz et al. does describe providing a notification to a user, Horvitz et al. does not teach or suggest setting a context such that future notifications are displayed in a reduced portion of the user's visual display. Horvitz et al. also does not teach or suggest how much of a visual display is used for notification.

For at least this reason, Applicants submit that amended claim 33 distinguishes over Horvitz et al. Claims 34-35 depend from claim 33, and are allowable for at least the same reasons as claim 33, and further in view of the features recited therein.

Conclusion

For at least the reasons set forth above, Applicants submit that claims 1-19, 27

and 29-42 distinguish over the applied reference, and are in condition for allowance.

However, if the Examiner feels that additional discussion and/or amendment would be

helpful, the Examiner is invited to telephone the Applicants' undersigned representative

at the number appearing below.

Respectfully submitted,

Date: April 26, 2006

Steve S. Chang
Reg. No. 42,402
BANNER & WITCOFF, LTD.
1001 G Street, N.W.
Washington, D.C. 20001

202 824-3000